

IN THE CLAIMS:

Please cancel claims 7-11, 13, 14 and 16-24 without prejudice or disclaimer.

Please amend claims 12 and 15 as follows:

12. (Amended) A toothbrush assembly comprising:

a) a holder being a handle of a toothbrush with a bristle head thereon,
said handle having a shape of a body of an animate object and
including a first end and a second end, said first end containing
expanded vertical and horizontal members taking on a shape of arms
making up part of said body of said animate object and said second
end containing expanded vertical and horizontal members taking on
a shape of legs and ankles of said body of said animate object;

b) a stand to retain said holder in an upright position, said stand having
a shape of a pair of feet matching said body of said animate object
and including a base on which said pair of feet are mounted, both
said feet and said stand each including a slot for receiving said
second end of said handle and said stand; and

c) a cover to fit over said bristle head [of said toothbrush of said holder] when not in use, so that said bristle head will remain sanitary and hygienic, in which said cover will keep airborne bacteria and dust from settling upon said bristle head [of said toothbrush], will prevent fingers of a person from touching said bristle head [with the fingers], to transfer [over] ever present bacteria thereto and said cover in place will indicate that said bristle head is kept clean and is not to be touched.

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Claim 15, line 1, please change "13" to --12--

Please add claims 27-45 as follows:

--27. A toothbrush assembly comprising:

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a) a handle in a shape of a torso of an animate object, said handle having a first end, a second end and a bristle head extending from a side of said first end; and

b) a stand extending from said second end of said handle for retaining said handle in a vertical position when placed on a horizontal surface, said stand having a shape of feet matching said shape of said handle, said feet extending in a same direction as said bristle head and torso.--

--28. The toothbrush assembly as claimed in claim 27, further comprising a cover having a shape of a head matching said shape of said handle for selectively covering said bristle head.--

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--29. The toothbrush assembly as claimed in claim 27, wherein said stand is releasably connected to said handle.--

--30. The toothbrush assembly as claimed in claim 29, further comprising a base connected to a bottom side of said stand for providing additional stability to said stand.--

--31. The toothbrush assembly as claimed in claim 29, wherein said stand includes a recess extending therethrough at a heel of said feet for selectively receiving said second end of said handle therein.--

--32. The toothbrush assembly as claimed in claim 30, wherein said stand includes a recess extending therethrough at a heel of said feet for selectively receiving said second end of said handle therein.--

--33. The toothbrush assembly as claimed in claim 32, wherein said base includes a recess extending therethrough and aligned with said recess in said stand for selectively receiving said second end of said handle therein.--

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--34. The toothbrush assembly as claimed in claim 27, wherein said first end of said handle further includes expanded vertical and horizontal members having a shape of arms extending therefrom.--

--35. The toothbrush assembly as claimed in claim 33, wherein said second end of said handle further includes expanded vertical and horizontal members having a shape of legs matching said torso.--

--36. The toothbrush assembly as claimed in claim 27, wherein said second end of said handle further includes expanded vertical and horizontal members having a shape of legs matching said torso.--

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--37. A toothbrush assembly comprising:

- a) a handle having a first end, a second end and a bristle head extending from a side of said first end; and
- b) a stand including a recess extending therethrough for selectively receiving said second end of said handle and thereby releasably connecting said stand to said second end of said handle for retaining said handle in a vertical position when placed on a horizontal surface, said stand having a shape of feet, said feet extending in a same direction as said bristle head.--

--38. The toothbrush assembly as claimed in claim 37, wherein said handle is in a shape of a torso of an animate object matching said shape of said feet and further comprising a cover having a shape of a head matching said shape of said handle for selectively covering said bristle head.--

--39. The toothbrush assembly as claimed in claim 37, wherein said recess is positioned at a heel of said feet.--

--40. The toothbrush assembly as claimed in claim 39, further comprising a base connected to a bottom side of said stand for providing additional stability to said stand.--

--41. The toothbrush assembly as claimed in claim 37, wherein said first end of said handle further includes expanded vertical and horizontal members having a shape of arms extending therefrom.--

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--42. The toothbrush assembly as claimed in claim 37, wherein said second end of said handle further includes expanded vertical and horizontal members having a shape of legs.--

--43. The toothbrush assembly as claimed in claim 38, wherein said first end of said handle further includes expanded vertical and horizontal members having a shape of arms extending therefrom matching said torso.--

--44. The toothbrush assembly as claimed in claim 38, wherein said second end of said handle further includes expanded vertical and horizontal members having a shape of legs matching said torso.--

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-45. The toothbrush assembly as claimed in claim 40, wherein said base includes a recess extending therethrough and in alignment with said recess in said stand for receiving said second end of said handle therein.--

REMARKS

Claims 1-6, 12, 15, and 25-45 are pending in the application. In response to this Office Action claims 7-11, 13, 14, and 16-24 have been canceled, claims 27-45 have been added and claims 12 and 15 have been amended.

Rejection of Claims 12-17 and 24-26 under 35 USC 112, second paragraph

Claims 12-17 and 24-26 stand rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter regarded as the invention.

Claim 12 has been amended to include the limitations of claims 13, 14, 16 and 24. Claim 12 has also been amended in accordance with the Examiner's remarks to provide antecedent basis for the listed elements. Claims 13-17 and 24 have been cancelled by this response. Claims 25 and 26 are dependent on Claim 12. In view of the amendments to claim 12, the cancellation of claims 13-17 and 24 and the dependence of claims 25 and 26 on allowable claim 12 it is respectfully submitted that